

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CUMBERLAND TRUCK  
EQUIPMENT CO., et al.,  
Plaintiffs,

CIVIL ACTION NO. 05-CV-74594-DT

vs.

DISTRICT JUDGE ARTHUR J. TARNOW

DETROIT DIESEL CORP.,  
et al.,  
Defendants.

MAGISTRATE JUDGE MONA K. MAJZOUB

DIAMOND INTERNATIONAL  
TRUCKS, INC., et al.,  
Plaintiffs,

CIVIL ACTION NO. 05-CV-74930-DT

vs.

DISTRICT JUDGE ARTHUR J. TARNOW

DETROIT DIESEL CORP.,  
et al.,  
Defendants.

MAGISTRATE JUDGE MONA K. MAJZOUB

**ORDER GRANTING DEFENDANTS' MOTION FOR LEAVE TO JOIN DETROIT  
DIESEL CORPORATION'S MOTION TO COMPEL**

This matter comes before the Court on Defendants' Motion for Leave to Join Detroit Diesel Corporation's Motion to Compel Production of Documents and to Amend the Scheduling Order filed on July 9, 2007. (Docket no. 36, No. 05-CV-74594; Docket no. 34, No. 05-CV-74930). Plaintiffs have responded to the motion. (Docket no. 37).<sup>1</sup> This motion has been referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1)(A). (Docket no. 39). The Court dispenses with oral argument, and the motion is now ready for ruling.

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<sup>1</sup> Citations to the record will be to case number 05-CV-74594 unless otherwise noted.

Plaintiffs in their Response to the motion address the merits of Defendants' Motion to Compel but do not oppose the joinder motion. Accordingly, and for good cause shown, the Court will grant Defendants' Motion for Leave to Join. The substantive, underlying motion remains pending.

**IT IS THEREFORE ORDERED** that Defendants' Motion for Leave to Join (docket no. 36, No. 05-CV-74594; docket no. 34, No. 05-CV-74930) is **GRANTED**.

### **NOTICE TO THE PARTIES**

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: August 10, 2007

s/ Mona K. Majzoub  
MONA K. MAJZOUB  
UNITED STATES MAGISTRATE JUDGE

### **PROOF OF SERVICE**

I hereby certify that a copy of this Order was served upon Counsel of Record on this date.

Dated: August 10, 2007

s/ Lisa C. Bartlett  
Courtroom Deputy